

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

RECARDO TERRY

*

Plaintiff,

*

v.

* Civil No. 18-CV-00031-JKB

*

*

SONNY PERDUE, SECRETARY
UNITED STATES DEPARTMENT OF
AGRICULTURE

*

*

*

*

Defendant.

*

*

MOTION TO DISMISS, OR ALTERNATIVELY, FOR SUMMARY JUDGMENT

Defendant Sonny Perdue, Secretary of the United States Department of Agriculture, by and through, Robert K. Hur, United States Attorney for the District of Maryland, and Rebecca A. Koch, Assistant United States Attorney for said District, hereby moves to dismiss pursuant to Federal Rule of Civil Procedure Rule 12(b)(1) for lack of subject matter jurisdiction and Rule 12(b)(6) for failure to state a claim, or alternatively, for summary judgment pursuant to Rule 56(a). Defendant's arguments in support of this Motion are set forth in the attached Memorandum.

Respectfully submitted,

Robert K. Hur
United States Attorney

By: / s /
Rebecca A. Koch
Assistant United States Attorney
Bar number: 802108
6406 Ivy Lane, Suite 800
Greenbelt, MD 20770
Telephone: (301) 344-4233
Facsimile: (410) 962-2310
rebecca.koch@usdoj.gov
Counsel for Defendant

CERTIFICATE OF SERVICE

I certify that on June 7, 2018, a copy of the foregoing Motion to Dismiss, or Alternatively, for Summary Judgment was served on counsel of record by the Court's CM/ECF system.

/s/

Rebecca A. Koch
Assistant United States Attorney